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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA,
SAN FRANCISCO DIVISION**

**IN RE GOOGLE PLAY STORE
ANTITRUST LITIGATION**

This Document Relates To:

Epic Games, Inc. v. Google LLC et al., Case No. 3:20-cv-05671-JD

In re Google Play Consumer Antitrust Litigation, Case No. 3:20-cv-05761-JD

State of Utah et al. v. Google LLC et al., Case No. 3:21-cv-05227-JD

Match Group, LLC et al. v. Google LLC et al.,
Case No. 3:22-cv-02746-JD

Case No. 3:21-md-02981-JD

**DECLARATION OF DEVIN CHEN
IN SUPPORT OF DEFENDANTS'
BRIEF IN RESPONSE TO THE
COURT'S QUESTIONS
REGARDING PRESERVATION OF
CHAT MESSAGES**

Judge: Hon. James Donato

DECLARATION OF DEVIN CHEN

I, Devin Chen (Zhi Chen), declare as follows:

3 1. I am a backend engineer on the Chat Backend team at Google. I make this
4 declaration based on personal knowledge and per discussion with the Chat Admin team. If called
5 as a witness, I could testify to the best of my knowledge to the facts stated herein.

6 2. The function of my team at Google is to develop and improve the Google Chat
7 product. My responsibilities include feature development for the Chat backend.

8 3. I understand that the Court has asked Google to respond to the following question:

- *How many recipients of the litigation hold notice in this case personally elected to turn the history to “on” for any of their Google Chats?*
 - *On what dates did the hold notice recipients do so?*
 - *If they later turned the chat history back to “off,” when did they do that?*

12 4. Google does not ordinarily maintain the information to answer this question for any
13 meaningful time period. Google does maintain a system-wide backend log spanning certain
14 Google products, with restricted security access for a rolling period of 55 days only. This log is
15 designed to assist in addressing bugs in Google Chat from the backend and includes limited data
16 about changes to Google Chat history settings. The data in that log, however, would not show
17 whether or when an employee changed his or her chat history settings for a particular conversation
18 before the rolling 55-day window—*i.e.*, if an employee had toggled the “history on” setting prior
19 to the 55-day window, the log would not show that activity.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

23 | Executed on this 24th day of January, 2023, in Sunnyvale, California.

DocuSigned by:

Devin Chen
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